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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CAVIT CANTINA VITICOLTORI  
CONSORZIO CANTINE SOCIALI DEL  
TRENTINO SOCIETA COOPERATIVA,

Plaintiff and  
Counterdefendant,

vs.

BROWMAN FAMILY VINEYARDS,  
INC.

Defendant and  
Counterclaimant.

CASE NO. C 09-02470 JSW (EMC)

**STIPULATED REQUEST FOR AN  
ORDER TO TAKE A THIRD-PARTY  
DEPOSITION OUTSIDE OF THE  
PERIOD FOR FACT DISCOVERY;  
[PROPOSED] ORDER**

Pursuant to the Court's Scheduling Order, fact discovery is set to close in this case on April 9, 2010. Pursuant to Civil Local Rule 6-1, the parties in this action, by signature of their counsel below, hereby stipulate and request that Defendant Browman Family Vineyards, Inc. be

1 permitted to take the deposition of a third-party witness on or before April 16, 2010. The witness  
 2 in question is David Taub. Mr. Taub is the CEO of Palm Bay International, Inc., a third-party  
 3 located in New York. The parties are in agreement that the deposition will take place in New  
 4 York on or before April 16, 2010.

5 Pursuant to Civil Local Rule 6-2, this stipulated request is accompanied by the Declaration  
 6 of Edmund J. Ferdinand, III, which sets forth with particularity the reasons for the requested  
 7 application. This application will not impact the schedule in this case.  
 8

9 Dated: April 9, 2010

DICKENSON, PEATMAN & FOGARTY

10 By /s/ J. Scott Gerien

11 J. Scott Gerien  
 12 Megan Ferrigan Healy  
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17 Dated: April 9, 2010

GRIMES & BATTERSBY, LLP

19 By /s/ Edmund Ferdinand

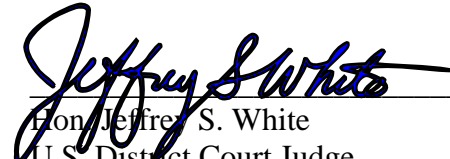
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 26  
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**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: April 12, 2010

  
Hon. Jeffrey S. White  
U.S. District Court Judge